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ATTORNEYS FOR PLAINTIFF  
ROYAL CARIBBEAN CRUISES LTD.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROYAL CARIBBEAN CRUISES LTD.,

Plaintiff,

-against-

NATIONAL BIOFUELS, L.P. and  
ENAGRA INC.

Defendants.

07 Civ. 3353 (JSR)

**AFFIDAVIT IN  
SUPPORT OF AMENDED ORDER  
AND WRIT OF ATTACHMENT**

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF NEW YORK        )

Michael J. Frevola, being duly sworn, deposes and says:

1. I am a member of the firm of Holland & Knight LLP, attorneys for plaintiff Royal Caribbean Cruises Ltd. ("Plaintiff"), and I am duly admitted to practice before the United States District Court for the Southern District of New York.

2. I am familiar with the facts and circumstances underlying this dispute and I am submitting this affidavit in support of the Verified Amended Complaint and the Amended Writ of Attachment.

3. Defendants National Biofuels, L.P. and Enagra Inc. are not listed in the telephone directory of the principal metropolitan areas in this district, nor are they listed in the Transportation Tickler, a recognized commercial directory in the maritime industry.

4. To the best of my information and belief, Defendants National Biofuels, L.P. and Enagra Inc. cannot be found within this district or within the State of New York.

5. Our office contacted the Secretary of State for the State of New York and was advised that neither National Biofuels, L.P. nor Enagra Inc. is a New York business entity, nor are they foreign business entities authorized to do business in New York.

6. Based upon the facts set forth in the Verified Amended Complaint, I respectfully submit that the Defendants National Biofuels, L.P. and Enagra Inc. are liable to Plaintiff for the damages alleged in the Verified Amended Complaint, which amounts, as best as can be presently determined, amount to a total of \$7,119,798.44, including estimated interest, expenses and attorneys' fees.

7. Upon information and belief, Defendants National Biofuels, L.P. and Enagra Inc. have property, goods, chattels or effects within this jurisdiction, to wit: funds or accounts held in the name of National Biofuels, L.P. or Enagra Inc. at one or more of the following financial institutions:

Bank of America, N.A.

The Bank of New York

Citibank, N.A.

Deutsche Bank Trust Company Americas

HSBC Bank USA, N.A.

JPMorgan Chase Bank, N.A.

UBS AG

Wachovia Bank, N.A.

Société Générale

Standard Chartered Bank

BNP Paribas

Calyon Investment Bank

American Express Bank

Commerzbank

ABN Amro Bank

Bank Leumi USA

Fortis Financial Groups

Banco Popular

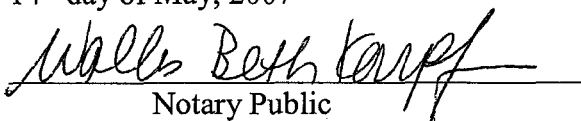
Bank of Tokyo-Mitsubishi UFJ Ltd.

8. Plaintiff is, therefore, requesting that this Court, pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, issue an amended writ of maritime attachment for an amount up to \$7,119,798.44.

**WHEREFORE**, Plaintiff respectfully requests that the application for a writ of maritime attachment and garnishment be granted.

  
Michael J. Frevola

Sworn to before me this  
14<sup>th</sup> day of May, 2007

  
Notary Public  
WALLIS BETH KARPF  
Notary Public, State Of New York  
No. 01KA6047092  
Qualified In New York County  
Commission Expires August 28, 2010